

**Remarks by Laura Hessburg, Iowa Coalition Against Domestic Violence
Requesting Support for Proposal to Protect Citizen's Right to Call Police
Iowa Council on Homelessness Meeting
November 21, 2014**

Support efforts to protect tenants/property owners' right to assistance

Domestic violence is the leading cause of homelessness for women and children. This is not because homeless women are more likely to be victims of domestic violence, rather, experiencing domestic violence often forces women into homelessness. Many victims face homelessness when they flee abusive relationships and many face homelessness when they are evicted or experience discrimination because of domestic violence history.

For victims and survivors of domestic violence, housing security and access to police assistance can be essential to living free from abuse. Unfortunately, towns and cities across the country are increasingly passing local laws that punish tenants and landlords when crimes occur in a property.

These are often referred to as 'nuisance', 'crime-free' or 'disorderly household' laws- they vary by jurisdiction but generally impose fines or sanctions on property owners based on the number of times police respond to the property. Alarming, they usually apply regardless of whether a resident was a victim of the activity. Upon citation, property owners typically are instructed to "abate the nuisance" or face steep penalties. Many landlords respond by evicting the tenant (who can be the victim of the crime), refusing to renew their lease, or instructing tenants not to call 911.

While these ordinances are intended to deter crime, in practice they undermine public safety, unfairly penalize crime victims and have a disproportionate burden on victims and survivors of domestic violence, the majority of which are women.

Domestic violence survivors already face significant barriers obtaining and maintaining housing. These laws impose additional barriers by penalizing victims for calling the police when they are in danger and blaming victims for criminal activity they cannot control.

The mark of eviction on their record often prevents tenants from securing affordable housing in decent neighborhoods and disqualifies many from subsidized housing programs.

These laws do not take into account the dynamics of domestic violence. It is important to recognize that the abuser causes the violence – it is irrational to expect a victim to be responsible for managing a partner's abusive actions. These laws burden victims for activities that they cannot control.

These laws can also embolden batterers -- the law becomes another tool that an abuser can wield against a victim to further efforts to dominate and control them. Abusers can be

encouraged that the threat of fines or evictions will discourage victims from reporting abuse. In addition, abusers can strategically engage in unlawful activity for the express purpose of causing a victim's eviction or liability.

These laws are well-intentioned- we support efforts to address crime and community policing efforts that encourage citizens to work with law enforcement to keep neighborhoods safe. We also recognize that policing domestic violence is one of the most difficult things we ask of law enforcement.

However, asking landlords to police their tenants is profoundly problematic. Pressing landlords to either turn on renters or suffer the consequences themselves too often punishes crime victims and undermines other policies and efforts that are helping to address domestic violence, i.e. lease bifurcation.

Forcing domestic violence victims to choose between a police call and a possible eviction isn't in anyone's best interest. These laws make it even harder for domestic violence victims to stay safe in their homes and signal to a community that victims of domestic violence do not merit police protection.

Laura Hessburg

laurah@icadv.org

Director of Public Policy

Iowa Coalition Against Domestic Violence

3030 Merle Hay Road

Des Moines, Iowa 50310

515-421-4667 (direct)

515-244-8028 (main)